



STUDENT HANDOUT

STATEMENT GUIDE

The Five Stage Statement Plan

Stage 1 ~ Introduction

This section should be short and to the point. Explain who the author is and what the statement is about. e.g.

"My name is Gareth REDMOND and this statement is about an incident where I saw a man appearing to throw a handbag away.

or

My name is James GRIFFIN. This statement is about an incident in which I saw two groups of youths fighting in the street.

Stage 2 ~ Main Characters

Part 2 introduces the **main** characters who will feature in the statement. **Not everybody - save the minor players for later.**

It must also contain the term of reference for each person mentioned and how you intend to refer to them throughout the statement. e.g.

"I will be mentioning the following people;

The man in the baseball cap from the Vauxhall Cavalier – He was the man who threw the bag away and I will refer to him as BASEBALL CAP, Julie BIRCH who is my girlfriend and was with me at the time, who I will refer to as BIRCH and Darren ROBERTS who is my next door neighbour who showed me a newspaper report of a local handbag snatch, who I refer to as ROBERTS"

Include age, relationship (parent etc.), status or a general characteristic that distinguishes each person from the others and makes it easy to identify them in the story of events that will follow. Spend some time in this area.

Do not go into detailed descriptions here – but do explain the person's relationship to the event.

Stage 3 ~ Set the scene

Put into context when and where the event occurred. "I saw the man throw the handbag away on Monday 19th of September 2006 (date, time & place) and it happened in PATTERSON'S LANE, which runs behind the shops in the HIGH STREET" (describe where the event took place).

It is good practice to use sketch plans and maps in the interview and then refer to them in this part. Remember the purpose of the statement and ensure you exhibit the sketch or map, but other exhibits must not be described or produced in this part.

In the case of a victim it is vital that you paint a detailed picture of who they are in order that any person who is reading the statement, be it the investigator or the prosecutor, can identify with them as a person.

Include occupation, personal situation, personality etc, if this is relevant to the incident / investigation eg elderly victim of robbery

Stage 4 ~ The chronological account

This is the detailed account of the incident in sequential order from a logical starting point leading through the events prior to the incident, to the incident itself and then the effects of it.

If you are writing a statement of an incident that YOU witnessed, the statement should reflect your notes. Go back to your notes and work through them ensuring everything is included in the statement.

Explain any delays in reporting and rationale as to why.

Use “direct speech”.

Do not include any points from stage 5. e.g. the value of property stolen or detailed descriptions as these would distract from the evidential part of the statement.

Stage 5 ~ Closure (Any thing else that has not been included so far!)

- Exhibits.
- Description of offender in full detail (all 10 points should be covered, even if just to say ‘I cannot recall.....’).
- Description of how victim would describe themselves, especially relevant to assist any ID issues eg on CCTV.
- Identification issues as per R -v- Turnbull.
- Description of any witnesses.
- Description of vehicles.
- Consent issues eg police having access to medical records following an assault, OR, that no one had permission to take their property

In the case of a victim of a property crime - this is where you would list and detail any items taken and the value of repair or replacement.

In the case of a victim of a violent crime - this is where you would list their injuries etc.

5-part statement structure

1

The first two lines!

1. Introduce the victim/witness
2. What is the statement about?
e.g. I am currently employed by (details) as a (details). I wish to record the details of

2

Introduce the players

1. Introduce the main people to be mentioned and the relationship with the victim/witness
2. Only mention the people the witness knows

3

Describe the places to be referred to

1. Introduce the places to be mentioned by witness
2. Give full physical descriptions
3. Include sketch plans, identified and exhibited
e.g. As a result of this incident I will also refer to the following locations. The MEADOW CAR PARK (full details of location). I have produced a plan of the level four car park area, which I produce as my exhibit GBH/1

4

What happened?

1. Detailed chronological account from the witness about what happened
2. Only use the words the witness uses
3. Use direct speech where possible
4. Include hearsay where it is important

5

The closing part of the statement

1. Include full detailed descriptions of suspect(s) and/or other relevant persons not previously described at part 2 *R v Turnbull*
2. Include consent issues i.e. doctor examination/forensic examination as well as consent issues related to offence
3. Include value of property damaged/taken
4. Other areas not covered above
5. Now complete a separate Victim Personal statement



A.D.V.O.K.A.T.E

Amount of time suspect under observation

Distance from the witness to the person

Visibility including time of day etc

Obstructions

Known or seen before

How often?

Any reason to remember

Eg scars, tattoos

Time lapse eg

This is the time between the original observation [of a suspect], and the subsequent identification [naming or pointing out to police].

E.g. a witness sees a male smash a window, and when police attend the male walks past and the witness *points him out* to police.

Another witness sees a female kicking someone. A week later police show the witness a book of photographs and he *points out* a photo of a person he recognises as the same female.

Errors or material discrepancies

eg if witness realises a mistake between initial report to police and making their statement, eg description

ADVOKATE only applies when someone has actually WITNESSED a suspect doing something

Therefore, generally, as a police officer, if you simply make an arrest, having not seen the incident itself, you do NOT need ADVOKATE in your arrest statement.

Student Statement Guides

<p>The statements that YOU will make</p>	<p style="text-align: center;">MG11: Witness Statement - Police Officer</p> <ol style="list-style-type: none"> 1. Do not leave blank lines. Use normal paragraphs, but do not leave a whole line blank. You do NOT need to line off the ends of lines, like you do in your PNB 2. Try not to include opinion in a statement unless you or the witness is qualified to give it - i.e. if it is 'expert opinion' stick to the known facts. 3. The 'URN' can be left blank as it is given to the file by your divisional ASU or CJU. 4. Include your full name at the top of the form, with your <u>FAMILY</u> name only in CAPITALS. If you write entirely in CAPITALS then show which the <u>FAMILY</u> name is by <u>underlining</u> it. This applies to all names written in a statement so that it is obvious to the reader which the <u>FAMILY</u> name is. 5. Complete the 'Age if over 18' section. 6. After 'Occupation' insert 'Police Constable' and your collar number. Do not put 'Police Officer' as this does not give your rank. 7. Complete the 'Number of pages' section. 8. Sign the declaration and ensure you include the date. 9. Leave the witness evidence visually recorded box blank whilst at the police training centre. 10. It is not necessary to include your name, rank, number or station at the start of the main body of text. 11. You can use the 24-hour clock or am/pm, but you must follow the time with 'hours' or 'am/pm' as applicable. 12. State if you were in full uniform, this is relevant for certain offences that you will cover during the course. 13. In order to assist the reader it is advisable to use fixed locations rather than points of the compass to denote direction. 14. Rather than saying that you 'noticed' something, it is better to be more positive and say 'I saw ...'. <p>15. Relevant conversation must be recorded in direct speech. This means the exact words used.</p>
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10 Point Description

- Amount of time the suspect was under observation
- Distance between the witness and the suspect
- Visibility, i.e. what was the lighting like, what were the weather conditions?
- Obstructions to your view of the suspect
- Known or seen before, do you know the suspect and, if so, how. If the witness has seen the suspect before is there:
- Any reason for remembering the suspect? This could be distinguishing feature or peculiarity of the person, or the very nature of the incident itself that made the person memorable. This can relate to previous or present sightings.
- Time lapse between the first and any subsequent identification to the police. This is not the time between first seeing the suspect and the writing of the statement.
- Errors between the first recorded description of the suspect and his/her actual appearance.

However, the principle is that it must be easy to accurately identify the person concerned, so if a person has been referred to by another name i.e. "Pete" or some other name commonly used by the person, you should use that name but clarify it either in Stage 2 (main characters) or the body of the statement.

Describe the person fully using *at least* the 10 point description:

- 1) Colour
- 2) Sex
- 3) Age
- 4) Height (use 'between' heights or 'about 5'8"', rather than a precise height).
- 5) Build
- 6) Hairstyle and colour
- 7) Complexion
- 8) Distinguishing features, e.g. tattoos, scars, beard etc and include if they wore spectacles **ACCENTS**
- 9) Clothing (from top to bottom)
- 10) Carrying anything.

This is a mechanism for obtaining a **BASIC** description. It should not inhibit you from probing for further details of the person concerned with intelligent, 'open' questions so that a **full, accurate and detailed** description is obtained.

If you are not sure of a point of detail then you must include this fact in your statement, e.g. 'I am not sure of the colour of the woman's jumper'. This shows that you have considered the point even if you are unable to give details of it.

Don't stop here!

Get ALL the details

<p>Extra pages</p>	<p>Avoid abbreviations and police jargon in your statement. Write in plain English so everyone can understand what you mean.</p> <p>You must ensure that when you include a place/person's name that it is spelt correctly. If you are not sure, ask. Consider the effect on your credibility as the writer of the statement if important evidence such as a location or a person's name is incorrectly spelt.</p> <p>You must always write in black ink.</p> <p>Sign at the foot of every page of text, and after the last word of the statement. This is a requirement of the Criminal Justice Act 1967 and the Magistrates' Court Act 1980. In the majority of circumstances, if a statement is not signed, it cannot be used in court.</p> <p>Only juveniles, persons apparently suffering from mental illness, or those that require an interpreter need to have their signature witnessed by a third party. This would normally be a parent, guardian, responsible adult or interpreter. If a statement is given by a person who cannot read, you must read the statement over to the witness and sign (with rank and number) on the 'Signature witnessed by' line. If none of the above apply, endorse the line 'N/A'.</p> <p>Continuation sheet</p> <ol style="list-style-type: none"> 1. You must complete the 'page no ... of ...' on the continuation page, and ensure these are correctly numbered. 2. You must include the full name of the person making the statement at the top of the page where it says 'Continuation of statement of...'. If this is a police officer, include rank and collar number. 3. You must write surnames in CAPITALS. If you write entirely in CAPITALS, underline the surname. <p>Rear of MG11</p> <p>Police officers and other professionals, i.e. doctors and store detectives should record their business address in the 'Home address' section if the statement is made in an official capacity, e.g. C/O HEDGE END POLICE STATION, ST JOHN'S ROAD, HEDGE END, SO30 4AF</p> <p>You should therefore include your station address in the 'Home Address' section. This must be written in CAPITAL letters.</p> <ol style="list-style-type: none"> 1. As a police officer you must never include your home address or home telephone number on the rear of an MG11. Consider the potential consequences if a defendant obtained these details. You should endorse the home telephone number section 'N/A'. 2. As a police officer you must include the full telephone number of your station in the work telephone number section. If at this stage you do not know it, put 'N/K'.
<p>The rear of the form</p>	